



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOSHE KOPLOWITZ,

Plaintiff,

v.

LABATON SUCHAROW LLP,

Defendant.

Case No: 10- CV-5176(KMW)

STIPULATION AND
~~PROPOSED~~ ORDER OF
DISCONTINUANCE WITH
PREJUDICE

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the parties to this action stipulate to the dismissal of this entire action, on the merits, and with prejudice as to all claims, each party to bear its own attorneys' fees and costs, except as provided by agreement.

/s/ Maimon Kirschenbaum

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DATED: 10-21-10

SO ORDERED:

Kimba M. Wood
KIMBA M. WOOD, U.S.D.J.

**The Clerk of Court is directed
to close this case. Any pending
motions are moot.**